

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANN HENEGHAN, individually, and as  
Personal Representative of the Estate of  
CATHLEEN DELIA ROSS, and JOHN  
ROSS, individually,

Plaintiffs,

v.

CROWN CRAFTS INFANT  
PRODUCTS, INC., a Delaware  
Corporation; WILLIAM SEARS, M.D.  
d/b/a SEARS PEDIATRICS AND  
FAMILY MEDICINE, INC., a California  
Corporation,

Defendants.

CASE NO. C10-05908RJB

ORDER

This matter comes before the court on defendants' Motion to Maintain Confidentiality of Settlement Amount (Dkt. 80). Plaintiffs apparently agree with the motion. The court does not, for the following reasons:

1. Defendants cite to RCW 4.24.611, and allege that it does not apply to the amount of the settlement reached, or to the negotiations leading up to the settlement – the only parts of the

1 settlement agreements the parties wish to keep confidential. If the parties believe the statute does  
2 not apply, there is no reason for the court to address it.

3 2. No evidentiary showing is made in support of RCW 4.24.611(4)(b), that is, that  
4 enforcement by the court of the confidentiality provision in the parties' settlement agreement is  
5 in the public interest.

6 3. While state law may govern this diversity case on substantive matters, federal law  
7 governs the case on procedural matters. RCW 4.24.611 appears to the court to be procedural.  
8 No federal law is cited in support of the motion.

9 4. The parties are free to enter into any confidentiality agreement that they believe is  
10 proper under the law without court approval. This public court has not participated in the  
11 settlement process and should decline to participate in that process now.

12 Therefore, it is now ORDERED that

13 The Motion to Maintain Confidentiality of Settlement Amount (Dkt. 80) is hereby  
14 DENIED.

15 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
16 to any party appearing *pro se* at said party's last known address.

17 Dated this 18<sup>th</sup> day of June, 2012.

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20 ROBERT J. BRYAN  
21 United States District Judge  
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